

FILE M'GARRY MORTGAGES.

INSTRUMENTS AGGREGATING \$237,575 PLACED ON RECORD.

Mortgages aggregating \$237,575 have been filed against the estate of John J. McGarry, who died in Brooklyn on February 22. Shortly after noon yesterday Alexander & Colby, lawyers, of No. 120 Broadway, Manhattan, began an action in Minneola, Long Island, for the foreclosure of a mortgage of \$37,000 against the country home of Mr. McGarry at Lawrence, Long Island. Later in the afternoon another mortgage for \$100,000 was recorded with the clerk of Nassau County at Mineola by counsel for the National Broadway Bank, of Manhattan. This mortgage covers a plot of ground 100 by 100 feet at Fourth-ave. and Warren-st., Brooklyn, and a parcel of ground 250 by 500 feet on the south side of Central-ave., 640 feet west of Lawrence-ave., Lawrence, Long Island.

The Smith-Platt Building Company, of New York, has filed a mechanic's lien for \$5,755 against the McGarry country home at Lawrence. On Thursday the Kings County Trust Company filed a mortgage in the Kings County Register's office for \$20,000 against the property owned by McGarry at Third-ave. and Eighty-fifth-st., Port Hamilton. The parcels are respectively 500 by 100 feet and 25 by 80 feet. The mortgage was made on January 10, 1901, by John J. McGarry and his wife, Kathryn M. McGarry, and was to be paid on March 1, 1901. The fact that this mortgage was held so long after it was payable indicates that the Kings County Trust Company had implicit faith in McGarry, and knew nothing about his speculation in Wall Street.

Another mortgage was filed against the property at Fourth-ave. and Warren-st. It is for \$75,000, and was made by Mr. McGarry and his wife to the Title Guarantee Company on March 14, 1901, to become due at the option of the company. The mortgage on file in the Register's office states that the property "was conveyed to John J. McGarry by his mother, Della McGarry, on April 26, 1901," eighteen days before the mortgage was advanced.

The total notes outstanding against McGarry amount to \$115,000, which brings the indebtedness up to \$417,575. Mrs. McGarry, the Councilman's widow and administrator, says that all that remains of his property is worth \$167,000, which will, of course, be wiped out, leaving her penniless.

Two of the McGarry notes have gone to protest. They are one for \$60,000 held by the Nassau National Bank, and another for \$15,000 held by the National City Bank, which was due on Thursday. The note of Mrs. Della McGarry for \$42,000, held by the Kings County Trust Company, is not due until some time in May. Suits will be begun by the banks that hold the protested paper against Mrs. Kathryn M. McGarry, as administrator of her husband's estate, and against Mrs. Della McGarry as an endorser.

John J. McGarry, it was supposed, inherited nearly \$1,000,000, and every dollar he said to have been sunk in real estate and unfortunate speculation in Wall Street. It is reported that there has been a bitter quarrel between Mrs. John J. McGarry and her mother-in-law, Mrs. Della McGarry. Mrs. Della McGarry, it is said, is determined to pay her son's debts, and Mrs. Kathryn M. McGarry will try to prove the genuineness of the indorsements on her husband's notes. It is said that a number of the banks hold notes given by McGarry, and that they will be heard from within a few days. A man who is familiar with the McGarry affairs said yesterday that he would not be surprised if McGarry had \$500,000 a year to maintain his country home at Lawrence, Long Island, where he had fifteen servants and engineers and a large plant and engine works. It is thought that if he had lived two months longer the crash would have come. It is believed that the members of his family were not aware of the extent of McGarry's speculations.

ACQUITTED OF EMBEZZLEMENT CHARGE.

JUDGE DIRECTS VERDICT FOR DEPUTY COLLECTOR OF INTERNAL REVENUE.

Frederick W. Kristeller, Deputy Collector of Internal Revenue for Brooklyn, was acquitted yesterday by a jury in the Federal Circuit Court of the charge of embezzlement, for which he was indicted a few months ago by the federal grand jury. The case had been on trial since last Monday. Kristeller was charged with the theft of revenue stamps valued at \$180. His counsel argued that the worst the prosecutor could prove was that Kristeller did not keep his books up to date, and that he directed the jury to bring in a verdict acquitting the defendant.

SUSTAINS VANDERBILT DEMURRER.

APPELLATE COURT UPHOLDS DECISION IN SUIT OVER WESTERN RAILROAD STOCK.

In an opinion handed down yesterday by the Appellate Division a demurrer against the "Daily News" of 1897 and 1898, entered in behalf of William K. Vanderbilt and Edward V. W. Rosseter, that they were entitled to an interlocutory judgment because Black in suing them had failed to make out a case entitling him to equitable relief, was sustained. Black received permission to file an amended complaint within twenty days on the ground that the "Daily News" had failed to make out a case as the result of an agreement between him and the other defendants and the other defendants to boom the stock of the Pittsburgh, Cincinnati, Chicago and St. Louis Railroad in his newspaper, the stock rose rapidly in value, but that the defendants failed to turn over to him 500 shares of the road's stock or certain moneys, as they had agreed to do in the laws governing the suit. He asked for an accounting and an injunction restraining W. K. Vanderbilt and his associates from disposing of the stock.

A LARGE RHODE ISLAND MERGER.

Providence, R. I., March 7.—The largest combination of commercial interests in this State was announced today. It calls for the merger of the United Traction Company, capitalized at \$3,000,000; the Providence Gas Company, with \$2,000,000; the Black and the Narragansett Electric Lighting Companies, capitalized at \$2,500,000; United States Senator Nelson W. Aldrich, the president of the United Traction Company, who has today in his consultation regarding the preliminary work of forming the new company, the capitalization of which is not yet made public.

GIVES ADVANCE ABOUT INVESTMENTS.

Kountze Brothers, bankers, Broadway and Cedar-st., have had prepared and are sending out a pamphlet answering questions arising as to what investments are proper for private trust funds. It gives a brief synopsis of the laws governing the investment of trust funds in the New-England and Middle Atlantic States. There are few published works suitable for the layman to which a man may refer for the purpose of informing himself as to his powers in this regard. It answers this purpose admirably.

THE GREAT FLOOD.

Some humorous scenes of the recent flood at Pittsburgh—boating, rafting, etc., in the streets. See Tribune to-morrow.

Advertisement for Pommery champagne, featuring a bottle and the text "POMMEY A LESSON IN CHAMPAGNE VALUES".

Price per bottle generally being the same.

WHY NOT HAVE THE BEST?

CHAMPAGNE

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